

NEVADA STATE BOARD OF PHYSICAL THERAPY EXAMINERS

WINTER 2005

Items of Interest

- Who is on the Board?
- NAC Workshop
- Course Review – The Process and the Costs.
- What *Not* to Do.

Nevada State Board of Physical Therapy Examiners

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BOARD MEMBERS

Pamela Hogan, PT, OCS, FSOM
Chairman

Chad A. Bible, MSPT, GCS
Board Member

Jack D. Close, MA, PT, FAPTA
Secretary/Treasurer

Conee Spano, M.Ed.
Public Member

Ceferino Villafuerte, PT
Board Member



WHO IS ON THE BOARD?

The Board office frequently receives calls inquiring as to who is on the Board. We would like to take this opportunity to provide this answer and give you the background of our Chairman, Pamela Hogan, PT, OCS, FSOM.

The Board members are listed on the left side of this Newsletter. The Board members are appointed by the Governor to a three year term. A member may only serve two consecutive terms. After a one year absence, the person may again be appointed.

Chairman Hogan was initially appointed to the Board by Governor Guinn on October 31, 2002. Ms. Hogan graduated with Honors from Boston-Bouve College at Northeastern University in 1971. She has obtained extensive post-graduate education, including becoming a Fellow of the Society of Orthopaedic Medicine in 1990 and earning her certification as an Orthopaedic Clinical Specialist (OCS) in 1994. Ms. Hogan was recertified in 2004. Chairman Hogan was involved in the Nevada Physical Therapy Association from 1985 to 2002. During this time, she served in several positions including Northern District Chair, Legislative Committee Chair and President. Chairman Hogan was reappointed to the Board on November 1, 2005 and will serve until October 31, 2008. She is a tremendous asset to the Board!

You may contact the Board members by calling, faxing, writing or emailing them at the Board office. You may also appear at any regularly scheduled meeting of the Board. The dates of all meetings are posted on our website.

NOTICE OF WORKSHOP

The Board will be conducting a Workshop to discuss possible changes to our Nevada Administrative Code. The meeting will be held on January 20, 2006 at 9:00am. The location is 555 E. Washington Avenue, Room 4412 in Las Vegas. The Workshop will also be held via videoconferencing connection at 401 S. Carson Street, Room 3143 in Carson City. If you have any suggestions, please write to the Board office or appear at either meeting location.

ANNUAL INSPECTIONS

In October 2004, the Inspectors began their routine inspections. As many of you are aware, the Board requested that 100% of the licensees be inspected, excluding Home Health agencies and School Districts. Those inspections ended in October 2005. The Inspectors found 35 violations including inadequate supervision, failure to document treatments and failure to notify the Board of a change in professional address. We thank you all for your cooperation during these visits.

At the Board meeting on November 3, 2005, the Inspectors were directed to resume their routine inspections for 2005-06, but at a reduced percentage. Aside from the check for display of the license and correct professional address, records will again be reviewed. These visits also provide the licensees an opportunity to question the Board Inspectors about various directives.

Lawrence P. Mooney
Chief Inspector

COURSE REVIEW – THE PROCESS AND THE COSTS

During the last Legislative session, the Honorable Governor Kenny C. Guinn signed a bill which allows the Board to charge for the review of continuing education courses. The Board requested that this be added to our Practice Act to cover the costs associated with reviewing as many as 1000 courses each year.

The Continuing Education Advisory Committee consists of six members, all of whom have been appointed by the Board. They are all licensed physical therapists and have various backgrounds including a therapist who works solely with children, a therapist in private practice and a therapist who works with acute care patients. The requirements for composition of the Committee can be found in Nevada Administrative Code 640.490.

When a course is submitted for review, either by the provider or a licensee, Board staff reviews the materials to ensure that all required information has been provided. If the course materials are complete, the course information is entered into the continuing education database. This information includes the provider name, course name, date of course if applicable, contact person and phone number. After the course has been entered, a review sheet is created and attached to the front of the course materials. When an agenda is being prepared, the pending courses from the database are downloaded into the agenda. The courses are then copied for the Board members in the Reno area. When the agenda is finalized, the copied materials are sent via an overnight courier to a Committee member in the North.

If further information is needed to place a course on the agenda, Board staff contacts the person who submitted the course to assist in gathering the missing information.

In order to schedule a meeting, the Committee is contacted to obtain their availability. Coordinating six physical therapists, legal counsel and Board staff can be quite a task. The Committee is also required to conform to Nevada's Open Meeting Law.

After the Committee meets, the course database is updated, letters are mailed to those persons who submitted the courses and our website is updated to reflect the approved courses.

The Committee is paid a salary of \$80 per day and a \$26 per diem allowance for each meeting, regardless of the length of the meeting. The Committee typically meets every other month. To ensure compliance with Nevada's Open Meeting Law, legal counsel is present at meetings as well. They are paid at the rate of \$121.94 per hour.

The Board Clerk is responsible in overseeing the course submissions and spends approximately 35% of her time in this area.

The Board will be discussing how much to charge for course submissions at their January 20, 2006 meeting. If you have any input, please write to the Board or attend the meeting in person. The address of the meeting is 555 E. Washington Avenue, Room 4412 in Las Vegas. You may also attend the video-conference link in Carson City at 401 S. Carson Street in Room 3143.

WHAT *NOT* TO DO

Based on phone calls to the Board office, complaints filed and disciplines imposed, the Board reminds all licensees of what they *should not* do. These are just a few things you should not do.

- Have a sexual relationship with a patient unless there was a preexisting sexual relationship with that person.
- Falsify the medical records of a patient.
- Use your professional relationship with a patient to further your own personal, religious, political or business interest.
- Practice without appropriately displaying your current license.
- Misrepresent to a patient the efficacy of your treatment of the patient or the results to be achieved by a course of treatment of physical therapy.
- Enter into any contract or arrangement which provides for the payment of an unearned fee to any person following his referral of a patient.

NOTE: This list is not exhaustive and does not cover every scenario of concern for licensees.

There are several provisions in Nevada Revised Statutes Chapter 640 and Nevada Administrative Code Chapters 640 regarding conduct. There are also other state laws pertaining to all providers of the Healing Arts. Please take the time to review your Practice Act and all laws which regulate your practice.

RECENT SETTLEMENTS

The following individuals do not admit that they committed the cited violations. Each licensee has entered into an agreement to pay a fine plus investigative costs as indicated.

Failure to timely notify Board of change in residential address.

Leizl Grace Lonzame – \$350

Failure to timely notify Board of change in professional address.

Cheryl Bates – \$300	David Lundgren – \$300
Joseph Indrieri – \$340	Christopher Marion – \$300
Morgan Johnston – \$300	Donald Murphy – \$340
Robert Kopecky – \$325	Jean Wilson – \$300

Failure to change both residential and professional addresses.

Drew Natori – \$500
Krista Schultz – \$500

Failure to notify Board of change in professional address and failure to provide a supervision form.

Jennifer Grgurich-Abdalla – \$500

Supervision of three physical therapist's assistants – violation of NAC 640.594(2). Failure to notify Board of termination of supervision of a physical therapist's assistant – violation of NAC 640.650(2).

Lewis Langdale – 1 year probation during which time the Board shall conduct periodic inspections; \$750 fine and \$540 in investigative costs.